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To: [Martin, John](#)
Cc: [Donaldson, Guy](#); [Shar, Alan](#); [Stenger, Wren](#); [Lawrence, Rob](#); [Jones, John-L](#); [Barnett, Cheryl](#); [Restivo, Angela](#); [Foster, Althea](#); [Smalley, Bryant](#); [Gustafson, Kurt](#); [Kodish, Jeff](#); [R6HarveyInfo](#)
Subject: Summary of Fuel Waiver Call today, Thursday, September 7th at 1 pm
Date: Thursday, September 7, 2017 2:41:37 PM
Importance: High

Hello John et al,

Summary of our fuel waiver call today, Thursday, September 7th at 1pm:

Participants: EPA HQs, OGC, OAR, OECA, R6, DOE, and TCEQ:

EPA extended the multi-state fuel waiver today, September 7th as follows:

Federal RVP Standards – continue through September 15, 2017 in the designated states and D.C.

Texas Low Volatility SIP:

- Extending the waiver of the 7.8 psi RVP standards that applies to the areas covered by the Texas low-volatility gasoline programs in the federally-enforceable SIP. The Texas SIP includes two different programs: SIP requires gasoline to be sold in 95 eastern Texas counties (Eastern Texas SIP Counties) to have a maximum RVP of 7.8 psi during the summer “high ozone” season, which starts June 1, 2017 and ends on October 1, 2017. Second, the Texas SIP requires gasoline sold in El Paso County to have a maximum RVP of 7.0 psi RVP through **September 16, 2017**.
- The waiver of the low RVP requirements in the Texas SIP that apply to the Eastern Texas SIP counties will continue through **September 26, 2017**.

Other Federally-Enforceable SIP Covered Areas

- Some of the designated states have federally-enforceable SIPs that require the use of low-volatility gasoline. Waiver continues in any SIP that applies in the designated states (other than Texas as mentioned above) to minimize or prevent problems with the supply of gasoline to those areas.

Reformulated Gasoline

- Waiver extends the waiver of the federal RFG requirements in any RFG covered area in the designated states and D.C. **through September 26, 2017**.
- The waiver covers the provisions at 40 CFR 80.78(a)(7) that prohibit any person from combining any RFG BOBs (Blendstock for Oxygenate Blending) with any other gasoline, blendstock, or oxygenate, unless certain conditions are met.

Jeff Kodish announced that EPA has extended the low RVP waiver for Texas until **September 26**,

2017 for those counties subject to the low RVP requirements until October 1, 2017.

EPA mentioned that we are aware of the gap that remains for the period September 27th until October 1st.

Jeff stated that while extending beyond the 26th is not a guarantee, we are aware that industry has moved into a completely different fuel production mode.

Phil mentioned we will get everyone across the “finish line.”

Minor asked if the waiver request language that was submitted today would satisfy as the request for extending the waiver past the 26th. EPA stated that we think what was submitted today was sufficient and we are all aware of the issues.

TCEQ (Minor) – TxLED Concerns:

Minor reiterated the fuel additive concerns for the 110 counties that are required to use TxLED all year, not just the ozone season. Recap from yesterday:

Possible supply problems with TxLED additive supply - Large volume producers have contacted TCEQ to mention additive supply concerns due to challenges with railcar deliveries into Houston and trucking supply out to the state.

Jeff requested and received concurrence from Phil that EPA would first prioritize the gas issue, then address TxLED issues separately. TCEQ (Minor) agreed with that approach. Also TxLED requests/issues would be addressed in a separate letter from the low RVP letter.

TCEQ (Keith) mentioned that TCEQ received from Buzz Feed a request for all Harvey related information and apparently there is some criticism of the process?

Refinery Shutdowns

No update provided – please see DOE situation reports for daily updates

Louisiana (LDEQ)

Not on the call

ODEQ

Not on the call.

Other States

Not on the call.

R4 Participation

Not on the call.

Next Steps

- **We will not continue with our daily calls at this time.** TCEQ will contact EPA as the need arises to discuss issues next week, especially regarding TxLED.

If you have any questions, or need to add anything, please do let me know.

John

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